

Knobbe Martens Olson & Bear LLP

Intellectual Property Law

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USPTO FACSIMILE TRANSMITTAL SHEET

Page 1 of 2

Docket No.: VALTX.002A

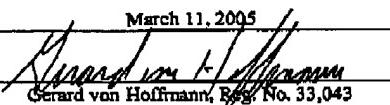
CUSTOMER NO. 20995

Applicant : Jonathan Kagan et al.
 App. No. : 10/699,589
 Filed : October 31, 2003
 For : APPARATUS AND METHODS FOR
TREATMENT OF MORBID OBESITY
 Examiner : Suzette J. Jackson
 Group Art Unit : 3738

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all marked attachments are being transmitted via facsimile to the USPTO Central Fax No. (703) 872-9306 on the date shown below:

March 11, 2005


Gerard von Hoffmann, Reg. No. 33,043

Transmitted herewith for filing and consideration in the above-referenced application are the following items:

(X) Amendment/Response in 14 pages.

(X) Non-Final

FILING FEES:

FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Total Claims minus 20; or Previously Paid	68 - 20 = 48	1202 (\$50)	48 x 50 =	\$2,400
Independent minus 3; or Previously Paid	4 - 3 = 1	1201 (\$200)	1 x 200 =	\$200
SUB TOTAL				\$2,600
The present application qualifies for Small Entity status under 37 CFR § 1.27. Fee reduced by ½.				(\$1,300)
				TOTAL FEE DUE
				\$1,300

(X) Please charge the total fees due in the amount of \$1,300 to Deposit Account No. 11-1410.

(X) Total pages in transmission: 16San DiegoSan FranciscoLos AngelesRiversideSan Luis Obispo

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CUSTOMER NO. 20995

The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 11-1410.

Gerard von Hoffmann

Gerard von Hoffmann
Registration No. 33,043
Attorney of Record
Customer No. 20,995
(949) 760-0404

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VALTX.002A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AMENDMENT

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed December 13, 2004, please amend the above-referenced application as follows.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 5 of this paper.